

REMARKS

Upon entry of this amendment, claims 1-50 are pending. Claims 20-26 are elected. Claims 1-19 and 27-50 are withdrawn from consideration as being directed to a non-elected invention. Claim 20 is newly amended herein.

Support for the amendments (deleting the term “conjugate”) to claim 20, is found, for example, on page 24, line 16 through page 28, line 19; in original claims 7-13; and elsewhere throughout the specification. The term “conjugate” is canceled without prejudice or disclaimer. Applicants reserve the right to pursue any cancelled subject matter of any claim in one or more continuing or divisional applications.

The amendments are not believed to introduce new matter and entry is respectfully requested.

REQUIREMENT FOR RESTRICTION:

The Official Action has required the election of one of the following groups:

Group I, Claims 1-13, drawn to a method of reducing viral budding from a mammalian cell using an antibody that binds to TSG101 protein, classified in class 424, subclass 172.1;

Group II, Claims 14-19, drawn to a method for delivering a therapeutic molecule to a mammalian cell infected by an enveloped virus using an anti-TSG101 antibody conjugated to a therapeutic molecule, classified in class 424, subclass 178.1;

Group III, Claims 20-26, drawn to a method for treating infection by an enveloped virus in a mammal comprising administering to the infected mammal an anti-TSG101 antibody conjugated to a therapeutic molecule, classified in class 424, subclass 178.1;

Group IV, Claims 27-32, drawn to a method of identifying a mammalian cell infected by an enveloped virus using an anti-TSG101 antibody conjugated with a label, classified in class 424, subclass 178.1;

Group V, Claims 33-40, drawn to a method for ex vivo removal of cells infected by an enveloped virus from a fluid derived from a mammal using an antibody that binds to a TSG101 protein, classified in class 424, subclass 172.1; and

Group VI, Claims 41-50, drawn to a method for treating or preventing infection by an enveloped virus in a mammal using a vaccine that comprises a polypeptide comprising a TSG101 protein, classified in class 424, subclass 184.1.

In responding to the restriction requirement, applicant hereby elects, with traverse, Group III, Claims 20-26.

The above election is being made with traverse. In particular, applicant respectfully submits that the search and examination of all currently pending claims would not pose an undue burden on the Examiner. Section 803 of the Manual of Patent Examining Procedure states that “[I]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.” For example, a search of the antibody would be expected to uncover art potentially relevant to the claims in any of Groups I, II, IV, V and VI. In view of the above, applicant respectfully requests examination of all currently pending claims as no serious search burden on the Examiner exists.

CONCLUSION

In light of the above, applicant believes that this application is now in condition for examination on the merits. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

MERCHANT & GOULD, P.C.

November 13, 2006

Date

P.O. Box 2903
Minneapolis, Minnesota 55402-0903
Telephone No. (202) 326-0300
Facsimile No. (202) 326-0778

Suzanne E. Ziska
Suzanne E. Ziska, Ph.D.
Registration No. 43,371

Christopher W. Raimund
Registration No. 47,258

23552

Patent & Trademark Office